

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: August 11, 2017

TIME: 9:00 a.m. C.D.T

LOCATION: 665 Mainstream Drive
Poplar Conference Room, 1st Floor
Nashville, TN 37243

MEMBERS PRESENT: David Harris, PTA, Chair
David Finch, PT, Secretary
LeAnn Childress, PT
Ronald Barredo, DPT
Minty Ballard, Consumer

MEMBERS ABSENT: None

STAFF PRESENT: Michael Sobowale, Unit Director
Tomica Walker, Board Administrator
Denard Mickens, Assistant General Counsel
Dorsey Luther, Office of Investigations

Guests: Brigina T. Wilkerson, DPT, Board Consultant
Hal Heninger, PT, Board Consultant
Sarah Suddarth, Tennessee Physical Therapy Association
Mike Harkreader, Tennessee Professional Assistance Program

1. Call To Order

A roll call of board members and administrative staff present was taken. With a quorum present, Mr. Harris called the meeting to order at 9:11 a.m.

2. Approval of Minutes

After review, Dr. Barredo made a motion, seconded by Ms. Childress, to approve the minutes of the May 19, 2017 meeting as follows with the amendments from page 11 to read Dr. Walker with University of Tennessee Chattanooga. The motion carried.

3. Office of General Counsel Report

Mr. Mickens presented the Office of General Counsel (OGC) report as follows:

A. Conflict of Interest

Mr. Mickens reminded Board members of the Board's conflict of interest policy. If a member has any personal or financial interest which might appear to be a conflict of interest, whether it relates to a contested case, a rulemaking issue, or any other Board decision, that fact should be shared with the Board so that a decision may be made regarding the need for recusal.

B. Statutes

Senate Bill 0240 was filed for introduction on January 31, 2017 and passed by the Senate on Second Consideration on February 2, 2017. This bill is now being referred to the Senate Government Operations Committee. The bill, if passed, would change from mandatory, to discretionary, for the governor to appoint new Board members from lists of nominees submitted by interested physical therapy groups like the Tennessee Physical Therapy Association. The bill mirrors changes in statutory language passed for a number of other Health Related Boards.

C. Rules

At the May 19, 2017 meeting, the Board voted to move forward with a reduction of the biennial license renewal fees. The rulemaking packet has been prepared and is currently going through the required steps. Once the required steps are complete, a rulemaking hearing will be scheduled at a future Board of Physical Therapy meeting.

D. Litigation

Appeals

There are no pending appeals for Board disciplinary action.

Civil Suits

None

Mr. Mickens reported that OGC currently has three (3) open cases pertaining to the Board of Physical Therapy. Two (2) Consent Orders will be presented today.

E. Legislation

Public Chapter 215- Requires agencies such as this Committee that establish or adopt guides to practice to promulgate rules specifying all provisions included in and relating to those guides to practice. <http://publications.tnsosfiles.com/acts/110/pub/pc215.pdf>

Public Chapter 240-Among other provisions, gives agencies with the health related boards authority to issue temporary limited licenses to applicants who have been out of clinical practice or engaged in administrative practice for some period. Also requires hospitals and other healthcare facilities to report to the appropriate health licensing board any disciplinary action

taken against a licensed person when such action is related to ethics, incompetence, moral turpitude or substance abuse. <http://publications.tnsosfiles.com/acts/110/pub/pc0240.pdf>

Public Chapter 350- This will allow healthcare providers to satisfy one hour of continuing education requirements through the performance of one hour of voluntary provision of healthcare services. The maximum amount of annual hours of continuing education that a provider can receive through providing volunteer healthcare services is the lesser of 8 hours or 20% of the provider's annual continuing education requirement. The legislation allows for rulemaking by the division of health related boards in order to administer this section.
<http://publications.tnsosfiles.com/acts/110/pub/pc0350.pdf>

Public Chapter 481- Makes it a violation for a healthcare practitioner to refuse to submit to a drug test or test positive for a drug the practitioner does not have a lawful prescription for or a valid medical reason for using. Requires peer assistance or other treatment programs to report such individuals who referred but failed to obtain or maintain the advocacy of the program or otherwise fails to comply with the terms of the program.
<http://publication.tnsosfiles.com/acts/110/pub/pc0481.pdf>

F. Consent Orders

A. William Donald Rader, JR., PT, License # 8850 - Mr. Mickens presented a Consent Order on William Donald Rader, JR., PT, for a conviction of Domestic (Violence) Assault. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to accept the Consent Order as presented. The motion carried.

B. Aimee Rebecca Thomas, PTA, License # 4696 - Mr. Mickens presented a Consent Order on Aimee Rebecca Thomas, PTA, for a conviction of Reckless Endangerment, a Class A misdemeanor under Tennessee law. After discussion, Ms. Childress made a motion, seconded by Mr. Finch, to accept the Consent Order as presented. The motion carried.

G. Agreed Orders

None

H. Orders of Compliance

None

4. Financial Report

Noranda French, finance officer for the Division of Health Related Boards informed the board there were not new reports available since the May 19, 2017 meeting. Ms. French discussed the board's mid-year financial report ending March 31, 2017. Total allocated expenditures totaled \$75,954.20 and total expenditures were \$157, 715.89. Board fee revenue totaled \$ \$357, 267.80 for a current net of \$199, 551.91 of this total the board's portion for the new LARS computer system totaled \$37, 489.54. The cumulative carryover balance surplus for the Board totaled

\$522, 880.46. After much discussion, Ms. French recommended the fee reduction as it would benefit the board in the long run with the cumulative carryover.

5. Tennessee Professional Assistance Program (TNPAP) Report

Mike Harkreader, TNPAP Executive Director presented the statistical report for the period July 1, 2016 through June 30, 2017. TNPAP is currently monitoring nine (9) individuals, three (3) physical therapists and six (6) physical therapist assistants. Out of the seventeen, sixteen were referred from Tennessee Department of Health.

6. Investigation and Disciplinary Reports

Dorsey Luther, Interim Disciplinary Coordinator in the Office of Investigations presented the investigative and currently-monitored, disciplined practitioners report. There are eleven (11) open complaints on physical therapists and five (5) open complaints on physical therapist assistants as of August 11, 2017.

7. Ratifications

Ms. Ballard made a motion, seconded by Dr. Barredo, to approve the following lists of PT/PTA initial, reinstatements, and closed applications as follows:

Physical Therapist
Newly Licensed

Abbott Amanda Michelle
Allen Sloan Williams
Alvarado Iv Carlos
Ashley Daniel Edward
Asumbrado Adrienne Stephanie
Balof Emily Diane
Baltensperger Matthew Carl
Bertrand Anthony Michael Dr.
Bishop Christopher Baxter
Blurton Nicole Ashley
Bonk Kristen Marie
Branim Nathan Ryan
Bravo Joshua Davis
Brimhall Andrew Joseph
Brownlow Jessica Lashun
Burtka Rebecca Elizabeth
Cannon Cayla Paige
Carpenter Joe Bob

Carter Reed Winston
Charles Julia Josephine
Clark Molly Bea
Clough Mechele Therese
Clouse Gary Dean
Conner Diana Catherine
Coward Allison Brooke
Craven James Morris
Crawford Stephanie Carol
Crossfield Taylor Smith
Daluga Linsey Anna Ms
Daniels Jeffrey
Delia Guy Dr
Dickerson Shaw Stanford
Dietze Corey Lynn
Dodson Bobbi Michelle
Dodson Morgan Paige
Donaldson Michael Edwin Guy
Dooyema Jacquelyn Claire
Drew James Logan
Easley Ellen Foerster
Ebersole Luke Allen
Eddy Vanessa Marie
Ervin Nicole Ashton
Ervin Zachary Hunter
Fedorka Zackary Jacob
Fisher Dacey Joy
Frees Alyssa Cheri
Gaines Corey Lamar
Gallien Matthew Warren
Gardner John Walker
Ghayal Priya D
Gipson Autumn Shonice
Gossett Sarah Temple
Grant Katherine Elizabeth
Green Latoya Latrice
Gunn Lorelei Brooke
Hakim Amir Maher
Hall Sarah Margaret
Hardy Amber Michele
Haulcomb Marsha Katherine
Hawkins Kate Alexi
Hawkins Klifford Posadas

Hayes Christopher Todd
Heckert Logan William
Henry Calvin Martin
Herringshaw-Grewe Alyssa Marie
Hester Hannah Montgomery
Holmes Claire Lacey
Huelsing Mitchell Eugene
Huffman Kyle Daniel
Hughes Kimberly Latrell
Hutto Alex Logan
Isbell Kristan Rene'
Jimenez Kara Ashley
Johnson Jamie Rhea
Johnson Kelsey Cline
Johnson Kierstin Alexis
Jones Jamie Lynn
Jones Jordan E
Jones Tracy Rene
Katz Jamie
Kearns Ian T. Dr.
Kilgore Justin Michael
Kimmett Zak Anthony
Kleinmann Dirk Lambert
Labule Winifred Ndubi
Lafontaine Emily Jean
Lingerfelt Andrew Tyler
Loos Amanda Carol
Lopardo Kristofer Charles
Mappes Kristine Ann
McCormick Meredith Kelsey
Mcdaniel Chad Douglas
Mcdonald Seth Alan
Mcgowan Elizabeth Ann
Meeks John Mark
Meives Aloysius Francis
Moore Rachel Anne
Moses Amy Rawson
Moyers Kelsey Alexis
Mukoda Nicole Erin
Murphy David R
Murrah Katherine Frances
Newsom Brian Christopher
Noble Molly Catherine

Ottaviano Kristin Marie
Otten Leighanne Nicole
Owens William Clayton
Pearsall Samantha Udinsky
Perry Adam Dudley
Petersen Nicholas Bradley
Phillips Jessica Nicole
Powers Matthew S
Proctor Andrew Michael
Pufall Kevin Jon
Pugh Tracee Liane
Purkey Seth Quentin
Ramos Allyson Tyler
Rapp Donald Carl III
Ratliff Peggy Denise
Richardson Stephen Taylor
Ridenour Benjamin David
Rodgers Lisa M.
Rush Sunny Caliste
Salituro Alanna Dr.
Sasiela Jordan Nicole
Scalise Phillip Daniel
Seal Jill Kristine
Shade Megan E
Shank David
Simmons Mark Alan
Smith Cody Dylan
Springer Jonathan Phillip
Steele Jennifer Anne
Strah Jaclyn Marie
Taing Neil Taing DPT
Thompson Andrew David
Tillman Hayley-Rae Evelyn
Tipton Amy Hollifield
True Hanna Handley
Vastano Briana Howard
Waller Jr John Whittaker
Watson Jordan Nicole
West Carter Wyche
Williamson Lauren Brooke
Woodhouse Jordan Leigh
Wright Holly Pierce
Young Jacob Adam

The Motion Carried

PHYSICAL THERAPIST ASSISTANTS
NEWLY LICENSED

Adams Brian
Allen Clint Jeffrey
Allen Stephanie Michelle
Baker Bethany Nichole
Barnett Bryan Kevin
Brannon Sarah Katherine
Brown Heather Nicole
Brown Justin Andrew
Brown Tony Forrest
Buchanan Adam Mitchell
Burchett Breanna Hope
Burgener Mayson Deshea
Buss Derek William
Chin Cesar Adolfo
Christensen Stacy Green
Coates Jessica Leigh
Cole Devin Scott
Contarino Bethany Lynne
Crossman Jessica Hindman
Crowder Kathleen Louise
Cuffman Julianne M
Daniels Kelsey Noelle
Davis Travis Vaughn
Denton Tera Chea
Downey Jodie Marie
Duncan Thomas Colton
Dye Ryan Yates
Eaves Heather
Eden Cameron Scott
Edwards Matthew John
Elliott Glenn Edward
Engel Clare Teresa
Erwin Meghan Nichole
Ethridge Landon
Fedewa Adam Gerard
Fincher Sydney Rae
Fish Amy Sue

Fisher Elizabeth Ann
Fleming Emily
French Taylor Brooke
Fry Carly Ann
Gann Robert D
Hammer Michael Eli
Harbit Brittany Sue
Haynes Katrisha Nichole
Hays Lauren Ashlee
Helm Daniel Brian
Hensley Ashley Elizabeth
Herriott Wayne Douglas
Hicks Lacey Leann
Hodge Allison Christine
Hughes James Robert
Jefferson Austin Tyler
Kaylor Monica Nicole
Kelley Emily Denise
Kilpatrick Matthew Boyd
King Steven David
Knight Andrea Lachelle
Lewis Casey Rae
Lind Kayla Brenee
Lowe Dillon Donald
Lyle Lynsey Frances
Lyons Kara Beth
Mcconnell Molly Caroline
Mccowan Rhonda Joyce
Mcewen Jennifer Leigh
Mcnabb Crystal Lynn
Meadors Holly Day
Metzger Raymond Daniel
Miller Sarah Elizabeth
Milstead Andra Mae
Mitchell Emily Alise
Morelock Ashton Leigh
Moss Brittany Ann
Mullens Isaiah Christopher
Ondrey Timothy John
Osborn Kellie Lauren
Ott Lacie Dawnn
Para Michael David
Parker Stephen Phillip

Parton Brooke Ashley
Patel Alyssa G
Pewitt Amanda Grace
Phipps Miranda Lynn
Pierson John Clay
Poff Jodi Lynn
Pope Kortney Shea
Reynolds Jamie Daniels
Riekeman Brady
Riley Cody Allen
Rogers Lonnell Okoye
Sills Gregory Lyndell
Simpson Shane Allen
Smith Carlye Kay
Sparks Alivia Brooke
Spence Sierra Hope
Stacy Shannon Lee
Stanley Leigh Anne
Stubblefield Cole Steven
Swindle Misty R
Taylor Hunter Michael
Tisdale Shelby Marie
Trett Christy Renee
Tussey Jordan
Urbanski Lindsey Marie
Valenzuela Brailey London
Ward Kayla Vaughn
White Dustin Cole
White Iv Francis Randall
Yates Tracy Carol
York Jocelyn Anna

Motion Carried.

PHYSICAL THERAPIST AND PHYSICAL THERAPIST ASSISTANTS REINSTATEMENTS

Bailey Tracey Lynn
Jones Ashley Elizabeth
Marino Alaina Rae
Owens Barbara S.
White Darin Michael
Hopkins Brittany Jeanne

Stephens Scott Taylor
Woods Colleen Rochelle

The Motion Carried.

PHYSICAL THERAPIST AND PHYSICAL THERAPIST ASSISTANTS
CLOSED FILES

Chaudhary Amit
Dela Cruz Aideen Tan
Roberts Andrew Scott
Stringer Karen Rebecca
Barks Dawn Marie
Taylor Ronald G
Welch Ashley Rene'

Motion Carried.

PHYSICAL THERAPIST
NEWLY LICENSED ADD-ONS

Bachman Ashlynn
Barad Sonal Chavda
Bass Jonathan
Ballard Connor
Bibeau Nicholas
Bixler Danielle
Boyd Sylvester
Bridges Dustin
Brooks Steven
Burns Adam
Burroughs Jordan
Cambron Christina
Casazza Carly
Confer Debra
Feike Courtney
Fleming Brandon
Gibbens Ashley
Goering Christian
Goulooze Nicholas
Gregory Mia
Hartley-Newman Steven
Hurst Wesley
Kaufmann Brian
Kennedy Jason
Kiel Dustin

Mahan Michael
Mekhail Susanna
Millay Benjamin
Moore Jonathan
Moran Victor
Quizhpi Julissa
Reams Kalie
Reed Chelsea
Rutledge Charles
Stoens Jessica
Tate Trey
Trivison Nicole
Vespie Caitlin
Walker Jessica
Waller Lauren
Whitefoot Cody

The Motion Carried.

PHYSICAL THERAPIST ASSISTANT ADD-ON'S

Hart Clay
Thornton Camille
Dullard Matthew
Martin Jamilah

The Motion Carried.

8. Applicant Interview/File Reviews

A. Emily Gregory, PTA, Applicant- Ms. Gregory appeared before the Board due to a conviction of reckless driving. After discussion, Mr. Finch made a motion, seconded by Dr. Barredo, to approve applicant for a license without any contingencies or conditions and to provide proof of successful completion of court requirements for alcohol counseling. The motion carried.

B. Jase Taylor, PTA Applicant- Mr. Taylor's file was presented to the Board due to a conviction of reckless driving. Mr. Taylor was not present. After discussion, Dr. Barredo made a motion, seconded by Ms. Ballard, to table until the next scheduled meeting for Mr. Taylor to provide proof of completion of imposed court requirements and to be available by phone or in person. The motion carried.

9. Provisional Licenses

A. Marjorie Abundo, PT- Ms. Abundo's file was presented to the Board for review. She requested a provisional license as a foreign-educated applicant. After discussion, Dr. Barredo made a motion, seconded by Mr. Finch, to grant Ms. Abundo a provisional license with 480 hours of supervised practice under the supervision of a Tennessee licensed physical therapist, to be completed within 48 weeks. The motion carried.

B. Hunter Barber, PT- Mr. Barber's file was presented to the Board for review. He requested reinstatement of his license after being out of practice for more than three (3) years. After discussion, Dr. Barredo made a motion, seconded by Ms. Ballard, to grant Mr. Barber a provisional license with 480 hours of supervised practice under the supervision of a Tennessee licensed physical therapist to be completed within one (1) year. The motion carried.

C. Nathaniel Goodall, PT- Mr. Goodall's file was presented to the Board for review. He requested a provisional license as a foreign-educated applicant by reciprocity and waiver of his Type 1 certification. Ms. Wilkerson, Board consultant recommended that applicant be granted a waiver on the Type 1 and be approved for a license due to the fact that he has met the general requirements for Physical Therapy education in the United States according to an evaluation of his foreign-education credentials by the Foreign Credentialing Commission on Physical Therapy (FCCPT). After discussion, Dr. Barredo made a motion, seconded by Ms. Childress, to grant the Mr. Goodall a Type 1 certification waiver and for the Board to approve a provisional license with 480 hours of supervised practice under the supervision of a Tennessee license physical therapist, to be completed within 48 weeks. The motion carried.

D. Kenneth Lacandazo, PT- Mr. Lacandazo's file was presented to the Board for review. He requested a provisional license as a foreign-educated applicant. After discussion, Ms. Ballard made a motion, seconded by Ms. Childress, to grant Mr. Lacandazo a provisional license with 480 hours of supervised practice under the supervision of a Tennessee licensed physical therapist, to be completed within 48 weeks. The motion carried.

E. Michelle Zagado Marty, PT- Ms. Marty's file was presented to the Board for review. She requested a provisional license as a foreign-educated applicant. After discussion, Dr. Barredo made a motion, seconded by Ms. Ballard, to grant Ms. Marty a provisional license with 480 hours of supervised practice under the supervision of a licensed physical therapist, to be completed within 48 weeks. The motion carried.

During discussion of the provisional license requests, Mr. Harris requested the administrative office to provide copies of the revised provisional license paperwork for both domestic and foreign-trained PTs and PTAs for review by the Board at the next meeting.

10. Administrative Report

Tomica Walker presented the following administrator's report:

Physical Therapy Minutes
August 11, 2017

A. In total, there are 5522 active Physical Therapists and 3684 active Physical Therapist Assistants as of 7/21/2017.

B. Licensure Statistics from 5/10/17 thru 7/21/17:

Physical Therapists

- New Applications Received - 119
- New Licenses Issued— 123
- Reinstated— 4
- Retired – 14
- Expired - 30
- Renewals— 458 (total) as follows:

100-paper
358-online

Physical Therapist Assistants

- New Licenses Received - 68
- New Licenses Issued— 56
- Reinstated— 4
- Retired- 7
- Expired -13
- Renewals— 301 (total) as follows:

49-paper
252 -online

C. Board Composition
All positions on the Board are filled at this time.

D. Child Support Orders

For this reporting period, no licensee has been issued a Default Child Support Order by Tennessee Department of Human Services Child Support Division.

F. TSAC Orders

For this reporting period, no licensee has been issued a Default Order by Tennessee Student Assistance Corporation. One (1) licensee had her order of suspension lifted. See the attached.

11. Unit Director's Report

Mr. Sobowale updated the Board on the status of the Physical Therapy Licensure Compact.

12. Correspondence

1. The Board received correspondence from Sandy Winslow, PT requesting a waiver of her continuing education for the current auditing period. After discussion, a motion was made by Ms. Childress, seconded by Ms. Ballard, to refer Ms. Winslow back to the Board's revised policy on continuing education which grants an extension of ninety (90) days to show proof of completion prior to any enforcement action by the Board. The motion carried.

Mr. Harris requested that a copy of the Board's amended CE Policy be provided to the Board for review at the next meeting.

2. The Board received correspondence from Dr. Ingram regarding the interpretation of Rule 1150-01-.02(2) as it relates to supervision and receiving continuing education credit without a supervising physical therapist being present. After discussion, Mr. Harris stated he would contact Dr. Ingram to further explain the Board's position on this rule.

13. Other Board Business

1. Dr. Barredo provided a report to the Board on information discussed at the FSBPT New Board Members Annual Training held in Alexandria, VA in June. The highlights of this meeting were issues surrounding Conflict of Interest for Board members, NPTE development and administration, Non-CAPTE graduates, Exam licensure and Disciplinary Database, Licensure Compact, and Continuing Competence. He also informed the Board that FSBPT proposes to increase their exam fees starting in 2018 from \$400.00 to \$485.00 and to change language referring to foreign educated applicants as Non-CAPTE graduates.

Mr. Harris also requested a discussion for the next meeting to discuss a streamlined or sped up process for license approval.

2. Mr. Sobowale inquired whether the Board would like to continue their discussion on an agenda item that was tabled from the last meeting on the question of whether a domestic-trained, physical therapist applicant should have the same ability to downgrade to the PTA exam on the NPTE as currently allowed under Board rules for foreign-trained applicants.

Sarah Suddarth, Vice President for Tennessee Physical Therapy Association informed the Board the Association strongly recommended that the Board not adopt this practice as it may open the door for unqualified candidates to come to Tennessee to practice, thereby defeating the Board's mission to protect the public.

Mr. Mickens, advisory attorney for the Board stated that from his Office's survey of contiguous States on the issue, Arkansas Board of Physical Therapy allows this practice on a case by case basis with domestic and foreign trained applicants. Both Alabama and Virginia Boards of Physical Therapy stated they do not allow this practice. Dr. Barredo stated he would check with FCCPT to see if they have an evaluation tool used to evaluate domestic PTA educated applicants that could be used to evaluate foreign-trained PTA applicants to see if their education is equivalent to a United States PTA education. Dr. Barredo will report back to the Board.

The Board will table the matter and revisit for discussion at a later meeting.

Adjournment

There being no further business, Ms. Childress moved to adjourn the meeting and the motion was seconded by Dr. Barredo. The motion passed. The meeting was adjourned at 12:23 p.m.

David Harris, Board Chair

Date

These minutes were ratified by the board at the August 11, 2017 meeting.